

4.7 Cultural Resources

Information contained in this section is summarized from the *Cultural Resources Phase I Survey for the 111 Calexico Place Project, City of Calexico, California*, prepared by Harris Archaeological Consultants (Harris, 2006) and the *Historical Resource Inventory and Evaluation for the Proposed 111 Calexico Place Project* (ASM Affiliates, 2008). These documents are provided in Technical Appendices - Volume II of II, Appendix F1 and F2, respectively, of this EIR.

4.7.1 Existing Conditions

The cultural resources survey prepared for the proposed project by Harris Archaeological Consultants (Technical Appendices - Volume II of II, Appendix F1 of this EIR) included a records search, an intensive field survey and consultation with Native American representatives. The records search was conducted on June 14, 2006, and consisted of a review of all relevant site records and reports on file with the South Eastern Information Center (SEIC) at Imperial Valley College Desert Museum, Ocotillo, California. The search encompassed all studies and properties within one mile of the project site. This included a bibliographic search of previous studies in the search area, and information from the National Register of Historic Places, the California Register of Historic Resources and California Historic Landmarks, California Points of Historic Interest, and the Office of Historic Preservation Database of Determinations of Eligibility. Historic maps reviewed include USGS Heber 15' 1957 map; Blackburn's Imperial Valley 1936 map, updated 1955 and 1964; and the USGS 30' 1908 Salton Sink map on file at the information center.

An intensive pedestrian survey was conducted at the project site on June 11, 13, 14, and 25, 2006 to identify and assess cultural resources that might be present within the project site. Ground visibility was excellent (80-100%) across the project site and on roads and limited to poor to good (40 to 60 percent) in the northwest corner where reeds and grasses grow. The project site was surveyed using transects of 10 to 12 meter intervals.

Consultations were initiated with Native American representatives having potential knowledge of cultural resources on the project site. The consultations began on June 12, 2006. Results of the consultations are included in Appendix B of the Cultural Resources Report located in Technical Appendices - Volume II of II, Appendix F1 of this EIR.

4.7.1.1 Historical Resources

Based on the records search that was conducted, two historic sites were identified within one mile of the project site. The first site, CA-IMP-8682H, the Southern Pacific Rail Road Imperial and Gulf Branch, is located approximately 900 feet west of the project site. The second is the Southern Pacific Railroad Calexico Spur, CA-IMP-7594H, which is located approximately one half mile to the southwest. The Blackburns map shows the property noted with the name "Hale." Based on a review the USGS 1957 Heber 15' map, one structure is evident in the northwest corner of the project site and Stout Drain 2 is shown to cross the property south to north centrally. However, an intensive site survey found no traces of the structure or associated artifacts or features, which is likely due to past agricultural use of the site.

As a result of the intensive pedestrian survey, one potentially significant historic resource was identified south and west of the project boundary. The Central Main Canal which extends along the south and west boundary of the project site is a potentially significant historic resource. The Canal was recorded as a historic resource per the request of the SEIC and given the temporary site number HAC-CP-1H. The Central Main Canal was constructed beginning in around 1900 extending from Sharpes Heading in Mexico at the intersection of Aliso and Alamo River at Alamo Levee southwest of Brawley.

4.7.1.2 *Archaeological Resources*

The records search that was conducted at SEIC identified seven cultural resource studies that have been previously performed within one mile of the project site. None of these studies were conducted within the project site nor have any cultural resources been recorded within the project site.

No archaeological resources were identified onsite as a result of the intensive pedestrian survey. However, the project site is located near the buried 40 foot level shore line of ancient Lake Cahuilla. As such, archaeological resources may be present on the buried shoreline.

4.7.1.3 *Paleontological Resources*

Many paleontological fossil sites recorded in Imperial County have been discovered during construction activities (County of Imperial, 1993). This is because earth material from several feet below ground level is brought to the surface through excavation and grading. Most fossil materials located on or near the surface are quickly destroyed by weathering from wind and water to a depth of ten feet. However, fossils located below ten feet are often well preserved. It is during construction that well-preserved fossils can often be identified and recovered. Moreover, knowing the resource potential of certain geologic formations in a particular area, based on past research, is a reliable method for determining the resource potential of that formation in other areas.

The site is located within the central, southern portion of the Salton Trough (Colorado Desert) geomorphic province of California. As identified in the preliminary geotechnical report (Appendix I of this EIR), the site is underlain by geologic units comprised of lake deposits of the ancient Lake Cahuilla. The depth of these deposits reach a maximum of up to several hundred feet, thinning toward the edges of the lake basin, and consist primarily of sands, silts and clays beneficial to the agricultural usage. The lake units have been deposited over older sediments (Pliocene to Pleistocene age materials). Geophysical studies indicated that these sediments may be up to 15,000 feet thick and were deposited on basement materials comprised of igneous and metamorphic rock. Based on the Previous EIR, the potential for these deposits to contain significant paleontological deposits is nominal (City of Calexico, 2001).

4.7.1.4 *Native American Consultation*

Senate Bill 18, signed into law by Governor Arnold Schwarzenegger in September 2004, requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions for the purpose of protecting Traditional Tribal Cultural Places ("cultural places"). Starting March 1, 2005, cities and counties must send their general plan and specific plan proposals to those California Native American Tribes that are on the Native American Heritage Commission's (NAHC)

contact list and have traditional lands located within the city or county's jurisdiction. Additionally, after March 1, 2005, cities and counties must also conduct consultations with these tribes prior to adopting or amending their general plans or specific plans.

Harris Archaeological Consultants initiated a Native American consultation as part of the cultural resources study (Technical Appendices - Volume II of II, Appendix F1 of this EIR). Notification letters were prepared and sent to thirteen individuals and groups on June 12, 2006, inviting project participation, requesting additional knowledge, and information regarding cultural resources on the project site. Two responses were received, one from the Kumeyaay Cultural Repatriation Committee and Quechan Indian Tribe, indicating that the tribe are unaware of any sacred lands on the project site. However, the Kumeyaay Cultural Repatriation Committee noted that the entire area has been continuously inhabited and requested that if any cultural material and/or remains are discovered during the construction of the proposed project, the project shall stop and they be notified. No other responses were received as of July 3, 2006. The results of the consultation are provided in Appendix B of the Cultural Resources Phase I Survey (Technical Appendices - Volume II of II, Appendix F1 of this EIR).

4.7.2 Impact Thresholds

For purposes of this EIR, a significant Cultural Resources impact would occur if implementation of the proposed project would:

- *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5;*
- *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5;*
- *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or,*
- *Disturb any human remains, including those interred outside of formal cemeteries.*

4.7.3 Impact Analysis

4.7.3.1 Historical Resources

The historical USGS 1957 Heber 15' map shows one structure within the northwest corner of the project site and the Strout Drain 2 crosses the project site centrally from south to north. The field survey conducted by Harris Archaeological Consultants, found no evidence of either of these two structures. The entire project site has been previously impacted by farming and recent trash littered near the roadways. Rubble piles have been placed where a structure is indicated to have been on the 1957 USGS 15' map. The rubble appears to be mostly dumped concrete and dead vegetation and does not appear to be directly related to any structure. A telephone pole exists in the northwest corner, which had likely supplied the structure with electricity. No other evidence of the structure exists. Strout Drain 2 is not evident on the ground surface. Channels similar to the Stout Drain 2 have been previously recorded in the area and are not unique. Therefore, the proposed project will not result in a significant impact to historical resources.

Site HAC-CP-1H, the Central Main Canal was recorded at the request of the SEIC and is considered to be potentially significant. ASM Affiliates was retained to prepare a Historical Resources Inventory and Evaluation of the Central Main and Dogwood canals to determine their significance (Technical Appendices - Volume II of II, Appendix F2, of this EIR). The Central Main Canal is a principal canal that transports water from the All-American Canal to the Imperial Valley for irrigation. It is part of a vast delivery system, extending from the Colorado River to the Imperial Valley, upon which the economy of the Imperial Valley depends. The canal began service in March 1902. The Dogwood Canal is one of many secondary canals that extend from the Central Main Canal waterway artery. Originally known as the Dogwood Ditch, this canal was built between 1902 and 1908 during the CDC-era of ditch and canal building. Both the Central Main Canal and the Dogwood Canal are considered eligible to the National Register of Historic Places (NRHP) and the California Register of Historic Resources (CRHR) due to their association with the earliest irrigation system in the Imperial Valley, the Alamo Canal and distribution system. They are recommended eligible under Criterion A as contributing elements to a historic district that includes the All-American Canal and its distribution system, including principal canals and laterals and associated structures. The construction of these vast irrigation systems profoundly altered both the landscape and the economy of the Imperial Valley, transforming it from a barren desert into some of the most productive agricultural land in the United States (ASM Affiliates, 2008).

Based on the traffic analysis prepared for the proposed project the existing bridge over the canals on Scaroni Road would need to be widened and a new bridge would need to be constructed across the canals to extend Sunset Boulevard to the south of the site to connect with Cole Road. However, the proposed project would not result in any adverse effects to the Central Main and Dogwood canals. The construction of these bridges will not directly impact the canal structures as the bridges will span over the canals to avoid impact to the canal structures. Historically bridges were constructed across these canals for access, as necessary. Initially, these bridges were simple wooden structures that were later replaced by concrete structures as traffic increased. As such, the construction of the proposed bridges would not result in indirect adverse effects because the proposed bridges are consistent with the historical access bridges that were previously used to cross these canals. Therefore, this issue is considered less than significant.

4.7.3.2 *Archaeological Resources*

Seven cultural studies have been previously performed within a one-mile radius study. However, no previous studies have been conducted within the project site, nor have any archaeological resources been recorded within the project site. Based on this information and the past agricultural disturbance on the project site, it is not anticipated that archaeological resources will be encountered during construction activities. However, if excavation of more than 15 feet is conducted on the project site, archaeological resources may be encountered, which is considered a significant impact. Mitigation Measure CR1 requires extensive archaeological monitoring, recovery, evaluation, curation, and reporting. Therefore, with the implementation of Mitigation Measure CR1 the impact to archaeological resources will be reduced to a level less than significant.

4.7.3.3 Paleontological Resources

Paleontological resources are typically impacted when earthwork activities such as mass excavation cut into geological deposits (formations) with buried fossils. These impacts are in the form of physical destruction of fossil remains. Fossils are the remains of prehistoric animal and plant life, and they are considered to be non-renewable. Therefore, such impacts are considered significant.

The project site is underlain by up to 100 feet of Holocene Lake Cahuilla lakebed deposits. The potential for these deposits to contain significant paleontological deposits is nominal. Grading for the proposed project is anticipated to be limited to the upper 20 feet of these deposits; therefore, the proposed project would not impact paleontological resources. However, if grading occurs within more than the upper 20 feet there is a potential for paleontological resources to be encountered, which is considered a significant impact. Mitigation Measure CR2 requires extensive paleontological monitoring, recovery, evaluation, curation, and reporting. Therefore, with the implementation of Mitigation Measure CR2, the impact to paleontological resources will be reduced to a level less than significant.

4.7.3.4 Human Remains

As discussed above, the project site is located near the buried shoreline of ancient Lake Cahuilla. Therefore, there is potential that human remains to be present on the project site, which is considered a significant impact. However, with the implementation of Mitigation Measure CR1, this impact will be reduced to a level less than significant. However, with the implementation of the

4.7.4 Significance of Impact

If the proposed project would require the excavation of more than 15 feet on the project site, then there is a potential for the project to result in a significant impact to archaeological resources (including human remains) associated with the proposed project. In addition, if grading occurs within more than 20 feet of the project site, there is potential for the project to result in a significant impact to paleontological resources.

Due to the project site's close proximity to the buried shoreline of ancient Lake Cahuilla, there is potential that human remains to be present on the project site, which is considered a significant impact,

Implementation of the proposed project would not result in a significant impact to historical resources.

4.7.5 Mitigation Measures

CR1 Archaeological Resources and Human Remains

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the City of Calexico shall verify that the requirements for archaeological monitoring

and Native American monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to the City of Calexico identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program. If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. The City of Calexico will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
3. Prior to the start of work, the applicant must obtain approval from the City of Calexico for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to the City of Calexico that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to the City of Calexico requesting a reduction to the 1/4 mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and the City of Calexico. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with City of Calexico, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to the City of Calexico identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to the City of Calexico through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to the City of Calexico prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
 1. The Archaeological Monitor shall be present full-time during grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and the City of Calexico. **The Construction Manager is responsible for notifying the RE, PI, and the City of Calexico of changes to any construction activities.**
 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to the City of Calexico.
 3. The PI may submit a detailed letter to the City of Calexico during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process
 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert ground disturbing activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify the City of Calexico by phone of the discovery, and shall also submit written documentation to the City of Calexico within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
 1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

- a. The PI shall immediately notify the City of Calexico by phone to discuss significance determination and shall also submit a letter to the City of Calexico indicating whether additional mitigation is required.
- b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval from the City of Calexico. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
- c. If resource is not significant, the PI shall submit a letter to the City of Calexico indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, the City of Calexico, and the PI, if the Monitor is not qualified as a PI.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with the California Public Resource and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American
 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Imperial Valley College Desert Museum for analysis. The decision for internment of the human remains shall be made in consultation with the City of Calexico, the applicant/landowner and the Imperial Valley College Desert Museum.

V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVr and submit to the City of Calexico via fax by 8AM of the next business day.

- b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV - Discovery of Human Remains.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the City of Calexico, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
- 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify the City of Calexico immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to the City of Calexico for review and approval within 90 days following the completion of monitoring.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program and submitting of such forms to the South Eastern Information Center with the Final Monitoring Report.

- 2. The City of Calexico shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to the City of Calexico for approval.
- 4. The City of Calexico shall provide written verification to the PI of the approved report.

5. The City of Calexico shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with the City of Calexico and the Native American representative, as applicable.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and the City of Calexico.
- D. Final Monitoring Report(s)
 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to the City of Calexico (even if negative), within 90 days after notification from the City of Calexico that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from the City of Calexico which includes the Acceptance Verification from the curation institution.

CR2 Paleontological Resources

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the City of Calexico shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to City of Calexico

1. The applicant shall submit a letter of verification to the City of Calexico identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program.

2. The City of Calexico will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from the City of Calexico for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to the City of Calexico that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from Imperial Valley Desert Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and City of Calexico. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with the City of Calexico, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to the City of Calexico identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to City of Calexico through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to the City of Calexico prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil

resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and the City of Calexico of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to City of Calexico.
3. The PI may submit a detailed letter to City of Calexico during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify the City of Calexico by phone of the discovery, and shall also submit written documentation to the City of Calexico within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify the City of Calexico by phone to discuss significance determination and shall also submit a letter to the City of Calexico indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from the City of Calexico. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The

Paleontologist shall continue to monitor the area without notification to the City of Calexico unless a significant resource is encountered.

- d. The PI shall submit a letter to the City of Calexico indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to the City of Calexico via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact the City of Calexico, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify the City of Calexico immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative). The report shall describe the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to the City of Calexico for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

- b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program and submitting forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. The City of Calexico shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to the City of Calexico for approval.
4. The City of Calexico shall provide written verification to the PI of the approved report.
5. The City of Calexico shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and the City of Calexico.
- D. Final Monitoring Report(s)
 1. The PI shall submit two copies of the Final Monitoring Report to the City of Calexico (even if negative), within 90 days after notification from the City of Calexico that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from the City of Calexico which includes the Acceptance Verification from the curation institution.

4.7.6 Conclusion

With the implementation of Mitigation Measures CR1 and CR2 the cultural resources impact related to archaeological resources (including human remains) and paleontological resources would be reduced to a level less than significant. No impact to historical resources is identified.

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